

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/062,999
Applicant : Eldridge et al.
Filed : January 30, 2002
TC/A.U. : 2858
Examiner : Nguyen, Vincent Q.

Conf. No.: 3577

Docket No. : P104-US

**Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

**RENEWED PETITION REQUESTING WITHDRAWAL
OF HOLDING OF ABANDONMENT**

To Whom It May Concern:

Previously Filed Petition:

On September 10, 2003, Applicants filed a petition entitled "Petition Requesting Withdrawal Of Holding Of Abandonment Based On Failure To Receive Office Action" (hereinafter "the September 2003 Petition") in the above-identified patent application. (A copy of the September 2003 Petition is attached hereto as Exhibit 1.) As evidenced by the returned postcard attached hereto as Exhibit 2, the US Patent and Trademark Office (hereinafter "the PTO") received the September 2003 Petition on September 15, 2003. Applicants note that the September 2003 Petition is listed on PAIR. Applicants have not, however, received from the PTO a decision with respect to the September 2003 Petition, and indeed, PAIR shows no action taken by the PTO with regard to the September 2003 Petition.

Renewal Of Petition To Withdraw Holding Of Abandonment:

By this paper, Applicants hereby renew the September 2003 Petition seeking withdrawal of the holding of abandonment in the Notice of Abandonment mailed July 10, 2003 on the grounds that the Notice of Allowance and Issue Fee Due were not received from the PTO.

That is, Applicants hereby petition under 37 CFR § 181 the Director to withdraw the holding of abandonment in the above referenced application and to mail a new copy of the

Notice of Allowance and Issue Fee Due forming the basis of the abandonment on the grounds that the Notice of Allowance and Issue Fee Due were not received. In support of this petition, the undersigned states (as was stated in the September 2003 Petition):

(a) On July 22, 2003, Applicants received a Notice of Abandonment in the above reference application stating the application was abandoned for non-receipt of the Issue Fee in response to a Notice of Allowance and Issue Fee Due mailed on February 24, 2003. A copy of the Notice of Abandonment is attached as Exhibit A to the September 2003 Petition (which is attached hereto as Exhibit 1).

(b) A search of the file jacket and the docket records at FormFactor, Inc., the assignee of this application whose offices were located at the correspondence address of record in this application, shows that the Notice of Allowance and Issue Fee Due have not been received. A copy of the docket record where FormFactor, Inc. would have docketed receipt of the Notice of Allowance and Issue Fee Due is attached as Exhibit A to the September 2003 Petition (which is attached hereto as Exhibit 1). Applicants therefore request that the holding of abandonment be withdrawn and the application passed to issue.

In summary Applicants have submitted the following: (1) the original petition to withdraw the holding of abandonment, with Exhibits A and B, under 37 CFR 1.181 as Exhibit 1; (2) evidence in the form of a return post card attached hereto as Exhibit 2 of receipt of the foregoing original petition. In addition, Applicants have filed herewith a General Authorization To Charge Deposit Account And General Petition For Extension Of Time by which provision for payment of any fee associated with this paper is made. Applicants therefore request that the holding of abandonment be withdrawn.

Respectfully submitted,

Date: April 3, 2007

By: /N. Kenneth Burraston/
N. Kenneth Burraston
Reg. No. 39,923

Kirton & McConkie
1800 Eagle Gate Tower
60 East South Temple
P.O. Box 45120
Salt Lake City, Utah 84111-1004
Telephone: (801) 323-5934
Fax: (801) 321-4893

EXHIBIT 1

E 1

PATENT
Docket No.: P104-US

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL" 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on September 10, 2003 in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Patti Crowder

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Benjamin N. Eldridge et al.

Application No.: 10/062,999

Filing Date: January 30, 2002

For: APPARATUS FOR REDUCING POWER
SUPPLY NOISE IN AN INTEGRATED
CIRCUIT

Examiner: Vincent Q. Nguyen

Group Art Unit: 3577

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
BASED ON FAILURE TO RECEIVE OFFICE ACTION

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Commissioner is hereby petitioned under 37 C.F.R. § 1.181 to withdraw the holding of abandonment in the above-referenced application and to mail a new copy of the Notice of Allowance and Issue Fee Due forming the basis of the abandonment on the grounds that the Notice of Allowance and Issue Fee Due was not received. In support of this petition, the undersigned states:

(a) On July 22, 2003, Applicants received a Notice of Abandonment in the above-referenced application stating that the application was abandoned for non-receipt of the Issue Fee in response to a Notice of Allowance and Issue Fee Due mailed on February 24, 2003. A copy of the Notice of Abandonment is attached as Exhibit A.

(b) A search of the file jacket and the docket records at FormFactor, Inc., the assignee of this application whose offices are located at the correspondence address of record in this application, shows that the Notice of Allowance and Issue Fee Due has not been received. A copy of the docket record where FormFactor, Inc. would have docketed receipt of the Notice of Allowance and Issue Fee Due is enclosed as Exhibit B.

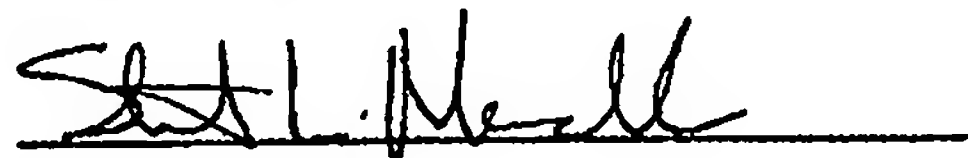
In consideration of these submissions, it is respectfully requested that the holding of abandonment be withdrawn, and a new copy of the Notice of Allowance and Issue Fee Due be mailed.

Applicants hereby authorize the Commissioner to charge a petition fee of \$130.00 as required by 37 C.F.R. § 1.17(h) to Deposit Account No. 50-0285 (order no. P104-US). Although Applicants believe that no additional fees are required, Applicants authorize the Commissioner to charge any additional fees due in connection with the filing of this paper also to Deposit Account No. 50-0285 (order no. P104-US).

Respectfully submitted,

Date: September 10, 2003

By:



Stuart L. Merkadeau
Registration No. 33,262

FormFactor, Inc.
Legal Department
2140 Research Drive
Livermore, CA 94550
925-294-4300
925-294-8147 Fax

PATENT
Docket No.: P104-US

EXHIBIT A

Notice of Abandonment



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/062,999	01/30/2002	Benjamin N. Eldridge	P1046-US	3577

27520 7590 07/10/2003

FORMFACTOR, INC.
LEGAL DEPARTMENT
2140 RESEARCH DRIVE
LIVERMORE, CA 94550

JUL 22 2003

EXAMINER

NGUYEN, VINCENT Q

ART UNIT

PAPER NUMBER

2858

PH8

DATE MAILED: 07/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

FormFactor, Inc.
IP Department

Date: 7-22 By: PC
Action: Relinquish to Revive
Due Date: 9-10-03
Tx: 2x 3x
Final: 9-10-03
File No: P1046-US
Attorney/Firm: SLH
HW

2



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
--------------------	-------------	-----------------------	---------------------

EXAMINER

ART UNIT	PAPER NUMBER
----------	--------------

DATE MAILED:

NOTICE OF ABANDONMENT

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper response to the Office letter mailed on _____.
 - ☐ A response (with a Certificate of Mailing or Transmission of _____) was received on _____, which is after the expiration of the period for response (including a total extension of time of _____ month(s)) which expired on _____.
 - ☐ A proposed response was received on _____, but it does not constitute a proper response to the final rejection.

(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).
 - ☐ No response has been received.
- ☐ Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.
 - ☐ The issue fee (with a Certificate of Mailing or Transmission of _____) was received on _____.
 - ☐ The submitted issue fee of \$_____ is insufficient. The issue fee required by 37 CFR 1.18 is \$_____.
 - ☐ The issue fee has not been received.
- ☐ Applicant's failure to timely file new formal drawings as required in the Notice of Allowability.
 - ☐ Proposed new formal drawings (with a Certificate of Mailing or Transmission of _____) were received on _____.
 - ☐ The proposed new formal drawings filed _____ are not acceptable.
 - ☐ No proposed new formal drawings have been received.
- ☐ The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on _____.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:

... IS

Respond to the Notice of Abandonment by one of the following:

Petition To Withdraw Holding of Abandonment (See MPEP 711.03(c) I) and 37 CFR § 1.181) No fee required

Where an applicant contends that the application is not in fact abandoned (e.g., there is disagreement as to the sufficiency of the reply, or as to controlling dates), a petition under 37 CFR § 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course of action. Any petition under 37 CFR § 1.181, to withdraw the holding of abandonment not filed within 2 months of the mail date of a Notice of Abandonment may be dismissed as untimely under 37 CFR § 1.181(f).

In order for a petition to be granted, the evidence must be sufficient according to one of the following standards:

- 37 CFR § 1.8(b) Certificate of Mailing
- 37 CFR § 1.10 "Express Mail" mailing
- MPEP 503 Postcard Receipt as Prima Facie Evidence

Petition To Withdraw Holding Of Abandonment should be addressed as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Mail Stop: Issue Fee, Alexandria, VA 22313-1450

By facsimile: 703-305-8755 or 703-305-4372

Petition To Withdraw Holding Of Abandonment Based On Failure To Receive Office Action (See MPEP 711.03(c) II). No fee required

Where an applicant contends that the original Notice of Allowance and Issue Fee Due was never received. If adequately supported, the Office may grant the petition and remail the Office action. The showing required establishing non-receipt of an Office communication must include a statement from the practitioner stating that the Office communication was not received and attesting to the fact that a search of the file jacket and docket records indicates that the Office communication was not received. A copy of the docket record where the nonreceived Office would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement.

Petition should be addressed to the Technology Center handling the application as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450
(Mark attention of a particular office or individual)

By facsimile: Technology Center numbers posted at <http://www.uspto.gov/september1/faxnotice.htm>

Petition To Revive An Abandoned Application (See MPEP 711.03(c) III)

Where there is no dispute as to whether an application is abandoned (e.g. the applicant's contentions merely involve the cause of abandonment) a petition under 37 CFR § 1.137 (a) unavoidable or (b) unintentionally (accompanied by the appropriate petition fee) is necessary to revive the abandoned application.

Petitions under 37 CFR § 1.137 should be addressed to the Office of Petitions as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450

By hand: Crystal Plaza 4, Rm. 3C23, 2201 Clark Place, Arlington, VA

By facsimile: 703-308-6916

Petition For Revival Of An Application For Patent Abandoned Unavoidably Under 37 CFR § 1.137(a) and Unintentionally Under 37 CFR 1.137(b), forms available at USPTO website - <http://www.uspto.gov>

Note: Abandonment takes place by operation of law for failure to reply to an Office action or timely pay the issue fee, not by operation of the mailing of a Notice of Abandonment.

PATENT
Docket No.: P104-US

EXHIBIT B

FormFactor Docket Record

Application/Serial No 10/082,999

PTO Status Pending (In-Prosecution)

FFI Reference 104 - US

Filing Date 1/30/2002

Actions Portal

Application ID

Responsible Professional

FFI/Firm

3/14/2003

KB

FFI

Enter Date Allowed

Code	Mo	Auto Due Date	Due Date	Action Description	Comments	
AR - Ally		Action Priority	Completed			
PeIR	2	9/10/2003	9/10/2003	Petition to Revoke	7/10 - Rcv'd Not of Abandmt re no pymt of IF. Never rcv'd Not of Allow.	104
SLM MW		1.0				
FR -	5	5/30/2002	8/30/2002	Expect Filing Receipt		102
KB		2.0	3/4/2002			C1
IDS -	3	4/30/2002	4/30/2002	IDS Due	PC	102
KB		1.0	4/25/2002			C1
MP -	2	5/4/2002	5/4/2002	Missing Parts Response Due	PC	102
KB		1.0	5/8/2002			C1
FRco	2	5/4/2002	5/4/2002	Expect Corrected Filing Receipt		104
KB		2.0	8/13/2002			
ExIO	15	4/30/2003	4/30/2003	Expect First OA (15 mo)		102
KB		2.0	10/29/2002			C1
FFpc	8	7/30/2002	7/30/2002	PCM - Need decision - Foreign Filing Due in 6m	1/27/03 - Yes per BNE 12/4/02 - BNE & CM to review P104 & P105	104
PCM		3.0	1/27/2003			
OA -	3	1/29/2003	1/29/2003	Office Action Response Due		104
KB		1.0	1/29/2003			
FF -	12	1/30/2003	1/30/2003	Foreign Filing Deadline - FINAL	PC 1/29/03 - sent via fax & FedEx, filed as P105 with	104
MW		1.0	1/29/2003			
Asp -	1	2/28/2002	2/28/2002	Assignment Needed	PC 2/11 - Fwd assignmt to PTO for recordation	104
KB		2.0	2/11/2003			

EXHIBIT 2

Ex 2

IN THE U.S. PATENT AND TRADEMARK OFFICE

Application No.: 10/062,999 Attorney Docket No.: P104-US
Inventor: Benjamin N. Eldridge et al. Date Due: September 10, 2003
Title: APPARATUS FOR REDUCING POWER SUPPLY NOISE IN AN INTEGRATED CIRCUIT

Receipt is hereby acknowledged of the following:

- | | |
|---|--|
| <input type="checkbox"/> Patent Application (No. pgs ____) | <input type="checkbox"/> Petition for Extension of Time |
| <input type="checkbox"/> Information Disclosure Statement w/PTO 1449 | <input type="checkbox"/> Resp. to Notice to File Missing Parts |
| <input type="checkbox"/> Drawings ____ Sheets | <input type="checkbox"/> Response/Amendment |
| <input type="checkbox"/> Declaration and Power of Attorney | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Assignment w/Cover Sheet | <input type="checkbox"/> Submission of Formal Drawings |
| <input type="checkbox"/> Check No., in the amount of \$ | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Revocation/Power of Attorney & Change of Corres. Address | <input type="checkbox"/> Appeal Brief |
| <input type="checkbox"/> Certification under 3.73 | <input type="checkbox"/> Express Mail Certificate |
| <input checked="" type="checkbox"/> Petition to Withdraw Holding Of Abandonment Based On Failure To Receive Office Action | <input checked="" type="checkbox"/> Certificate of Mailing |

Express Mail label No.: _____ Date Mailed: September 10, 2003

IN THE U.S. PATENT AND TRADEMARK OFFICE

Application No.: 10/062,999 Attorney Docket No.: P104-US
Inventor: Benjamin N. Eldridge et al. Date Due: September 10, 2003
Title: APPARATUS FOR REDUCING POWER SUPPLY NOISE IN AN INTEGRATED CIRCUIT

Receipt is hereby acknowledged of the following:

- | | |
|---|---|
| <input type="checkbox"/> Patent Application (No. pgs ____) | <input type="checkbox"/> Petition for Extension of Time |
| <input type="checkbox"/> Information Disclosure Statement w/PTO 1449 | <input checked="" type="checkbox"/> Resp. to Notice to File Missing Parts |
| <input type="checkbox"/> Drawings ____ Sheets | <input type="checkbox"/> Response/Amendment |
| <input type="checkbox"/> Declaration and Power of Attorney | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Assignment w/Cover Sheet | <input type="checkbox"/> Submission of Formal Drawings |
| <input type="checkbox"/> Check No., in the amount of \$ | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Revocation/Power of Attorney & Change of Corres. Address | <input type="checkbox"/> Appeal Brief |
| <input type="checkbox"/> Certification under 3.73 | <input type="checkbox"/> Express Mail Certificate |
| <input checked="" type="checkbox"/> Petition to Withdraw Holding Of Abandonment Based On Failure To Receive Office Action | <input checked="" type="checkbox"/> Certificate of Mailing |

Express Mail label No.: _____ Date Mailed: September 10, 2003